

OLC 76-2086/a

Hgoe

8 AUG 1976

Honorable Bella S. Abzug, Chairwoman
Subcommittee on Government Information
and Individual Rights
Committee on Government Operations
House of Representatives
Washington, D. C. 20515

Dear Madam Chairwoman:

This is in response to your letter of July 23, 1976
requesting certain material for the record requested during
the testimony of Mr. Colby on 5 March 1975.

The package of European laws which was requested by
Representative Brown was provided to him shortly after the
hearing. The proposed Agency amendment to the Privacy Act
was furnished to the Subcommittee staff at the conclusion of
the hearing. I am, however, enclosing copies of this material
as you requested.

Sincerely,

/s/ George Bush

George Bush
Director

Enclosures

Distribution:

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OLC/PLC:dla (typed 2 Aug 1976)

Retyped: OLC/GLC:baa (4 Aug 76)

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STAT



LAWS OF EUROPEAN COUNTRIES
PERTAINING TO TREASON AND ESPIONAGE
AND CERTAIN RELATED QUESTIONS

TAB A - French Law

TAB B - Great Britain Law

TAB C - Greek Law

TAB D - West German Law

TAB E - Norwegian Law

The laws provided by OGC.

1. Add a new subsection (8) in section (a) "DEFINITIONS" the following:

"(8) The term 'foreign intelligence information or personal information relating to intelligence sources and methods' means sensitive information concerning--

- (A) methods of collecting foreign intelligence;
- (B) sources of foreign intelligence, whether human, technical, or other; or
- (C) methods and techniques of analysis and evaluation of foreign intelligence which, in the interests of the security of the foreign intelligence activities of the United States, has been specifically designated for limited or restricted dissemination or distribution, pursuant to authority granted by law or Directive of the National Security Council, by a department or agency of the United States Government which is expressly authorized by law or by the President to engage in intelligence activities for the United States."

2. Add as a new subsection (6) in section (g) "CIVIL REMEDIES" following:

"(6) A civil suit involving intelligence sources and methods exempt under subsection (j)(1) of this section may be brought to determine if the designation was in accordance with the definition prescribed in subsection (a)(8), provided; however, that the court shall not consider the case de novo but may conduct such in camera inspection of the requested records, or any part thereof, if it is unable to resolve the matter on the basis of an affidavit and other information submitted by the parties. In conjunction with its in camera examination, the court may consider further argument, or an ex parte showing by the Government, in explanation of the withholding. If there has been filed in the

record an affidavit by the head of the agency certifying that he has personally examined the documents withheld and has determined after such examination that they should be withheld under the definition prescribed in subsection (a)(8), the court shall sustain such withholding unless, following its in camera examination, it finds the withholding is without a reasonable basis under such criteria."

3. Strike existing (j)(1) and substitute the following:

"(1) foreign intelligence information or personal information relating to intelligence sources and methods designated for protection from unauthorized disclosure pursuant to 50 U.S.C.A. 403."

UNCLASSIFIED CONFIDENTIAL SECRET

EXECUTIVE SECRETARIAT

Routing Slip

TO:		ACTION	INFO	DATE	INITIAL
1	DCI		X		
2	DDCI		X		
3	D/DCI/IC				
4	S/MC				
5	DDS&T				
6	DDI				
7	DDA				
8	DDO				
9	D/DCI/NIO				
10	GC		X		
11	LC	X			
12	IG				
13	Compt				
14	D/Pers				
15	D/S				
16	DTR				
17	Asst/DCI				
18	AO/DCI				
19	C/IPS				
20			X		
21					
22					

SUSPENSE

Date

Remarks:

For preparation of DCI response.

A/

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21 JULY 1976

Date

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NINETY-FOURTH CONGRESS

Congress of the United States

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OF THE

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RAYBURN HOUSE OFFICE BUILDING, ROOM B-349-B-C

WASHINGTON, D.C. 20515

SAM STEIGER, ARIZ.
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PAUL N. McCLOSKEY, JR., CALIF.

225-3741

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76-3031

OLC 76-2086

July 23, 1976

Honorable George Bush
Director
Central Intelligence Agency
Washington, D.C. 20505

Dear Mr. Bush:

In reviewing former Director Colby's testimony before this subcommittee on March 5, 1975, I note that the following items which Mr. Colby indicated would be supplied, have not been received:

- (1) A digest of laws applicable to the foreign intelligence sources of other nations, per hearing transcript page 117; and
- (2) CIA's suggested change in the present Privacy Act exemption for the Agency, per hearing transcript page 143.

For your convenience, copies of these pages are herewith enclosed. I would appreciate your early reply.

With best wishes,

Sincerely,



BELLA S. ABZUG
Chairwoman

Enclosure